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November 10, 2021

VIA ECF

The Honorable Andrew L. Carter, U.S.D.J.  
U.S. District Court for the Southern District of New York  
40 Foley Square  
New York, New York 10007

Re: [Fischler v. Oddfellows Management LLC, 1:21-cv-7457 \(ALC\)](#)

Dear Judge Carter:

This firm represents Brian Fischler in this website accessibility case under the Americans with Disabilities Act. We submit this status report pursuant to the Court's November 10, 2021 Order.

On October 6, 2021, Defendant was served with the Summons and Complaint, by being served via the Secretary of State of New York. (Doc. No. 5). Because a delay sometimes occurs between a defendant being served under this method and learning that it has been served, on November 8, this office emailed the Defendant about the lawsuit and that it has been served. However, to date, no attorney representing the Defendant has filed a Notice of Appearance nor contacted Plaintiff.

With the Court's permission, Plaintiff respectfully requests thirty days before it proceed with the default judgment process. Plaintiff will, during this time period, continue to reach out to Defendant to further ensure it is aware of this lawsuit.

We appreciate the Court's attention to this submission and we are available to answer any questions.

Respectfully submitted,  
LIPSKY LOWE LLP

s/ Douglas B. Lipsky  
Douglas B. Lipsky